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10 Attorneys for Plaintiff JENS ERIK SORENSEN,  
as Trustee of SORENSEN RESEARCH AND  
DEVELOPMENT TRUST  
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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

16 JENS ERIK SORENSEN, as Trustee of ) Case No. 07 CV 2278 BTM CAB  
17 SORENSEN RESEARCH AND )  
18 DEVELOPMENT TRUST, ) **FOURTH AMENDED NOTICE OF**  
Plaintiff, ) **RELATED CASES**  
19 v. )  
20 )  
21 HELEN OF TROY TEXAS )  
22 CORPORATION; OXO )  
23 INTERNATIONAL LTD.; )  
and DOES 1 – 100, )  
24 Defendants. )  
25 )  
26 and related counterclaims. )  
27  
28 //

Pursuant to Local Civil Rule 40.1(e), Plaintiff JENS E. SORENSEN, as TRUSTEE OF THE SORENSEN RESEARCH AND DEVELOPMENT TRUST (“SRDT”), hereby gives FOURTH AMENDED notice of cases related to the present case. Specifically, SRD TRUST gives notice of the following related cases that all arise from alleged infringement of United States Patent Number 4,935,184 (“the ‘184 patent”), whether pending, dismissed, or otherwise terminated:

### **JUDGMENT ENTERED**

*Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. First International Digital, Inc., et al*, Case No. 3:07-cv-5525-JSW, filed October 30, 2007 in the United States District Court for the Northern District of California. Judgment of \$500,000.00 has been entered.

### **PENDING – NOT STAYED**

*Acco Brands USA LLC v. Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust*, Case No. 08cv1670 JAH JMA, filed September 12, 2008 in the USDC for the District of Southern California.

*Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. Conair Corporation*, Case No. 08cv1256, filed July 11, 2008 in the United States District Court for the District of Southern California. Plaintiff alleges infringement of the ‘184 patent by Defendants. Assignment to the same district judge as other ‘184 patent cases in the district has already occurred.

*Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. Phillips Plastics Corp.*, Case No. C08-03094, filed June 26, 2008 in the United States District Court for the District of Northern California. Plaintiff alleges infringement of the ‘184 patent by Defendants. A motion to transfer this case is pending. A request to relate this case to others in the Northern District was denied.

*Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1       *Trust v. Human Touch LLC, et al*, Case No. 08cv1080, filed June 18, 2008 in the  
2       United States District Court for the District of Southern California. Plaintiff alleges  
3       infringement of the '184 patent by Defendants. Assignment to the same district  
4       judge as other '184 patent cases in the district has already occurred.

5       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
6       *Trust v. Lexar Media, Inc.*, Case No. 5:08-cv-00095-JW, filed January 7, 2008 in the  
7       United States District Court for the District of Northern California. Plaintiff alleges  
8       infringement of the '184 patent by Defendants. A requested stay has already been  
9       denied and this case is proceeding towards trial.

10       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
11       *Trust v. Johnson Level & Tool Mfg. Co., Inc.*, Case No. 3:08-cv-0025-BTM-CAB,  
12       filed January 4, 2008 in the United States District Court for the District of Southern  
13       California. Plaintiff alleges infringement of the '184 patent by Defendants.  
14       Assignment to the same district judge as other '184 patent cases in the district has  
15       already occurred.

16       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
17       *Trust v. Ampro Tools Corporation*, Case No. 4:08-cv-00096-CW, filed January 7,  
18       2008 in the United States District Court for the District of Northern California.  
19       Plaintiff alleges infringement of the '184 patent by Defendants. A default judgment  
20       motion is pending.

21       *PowerStation LLC, et al v. Sorensen Research and Development Trust*, Case  
22       No. 07-cv-04167-RBH, filed December 31, 2007 in the United States District Court  
23       for the District of South Carolina. Plaintiff seeks declaratory judgment that the '184  
24       patent is invalid and not infringed by them, and also makes an unfair trade practices  
25       claim. A Rule 12 motion for transfer for lack of personal jurisdiction is under  
26       submission.

27       *Big Lots Stores, Inc. v. Sorensen Research and Development Trust*, Case No.  
28       08cv00506, filed May 23, 2008 in the United States District Court for the Southern

1 District of Ohio. Plaintiff seeks declaratory judgment that the '184 patent is invalid  
2 and not infringed by them. No summons or complaint have been served, and this  
3 case will be the subject of a Rule 12 motion for transfer for lack of personal  
4 jurisdiction.

5 *Freshlink Product Development, L.L.C. v. Sorensen Research & Development*  
6 *Trust*, Case. No. 08cv05021, filed May 30, 2008 in the USDC for the Southern  
7 District of New York. No summons or complaint have been served, and this case  
8 will be the subject of a Rule 12 motion for transfer for lack of personal jurisdiction.

9 *American Safety Razor Co. v. Sorensen Research & Development Trust*, Civil  
10 Case No. 07-CV-00730-HHK, filed April 20, 2007, in the United States District  
11 Court for the District of Columbia. No summons or complaint have been served, and this case  
12 will be the subject of a Rule 12 motion for transfer for lack of personal  
13 jurisdiction.

14 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
15 *Trust v. DMS Holdings, Inc., et al.*, Case No. 08cv559, filed March 25, 2008 in the  
16 United States District Court for the District of Southern California. Plaintiff alleges  
17 infringement of the '184 patent by Defendants. Assignment to the same district  
18 judge as other '184 patent cases in the district has already occurred.

19 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
20 *Trust v. Alltrade Tools, LLC., et al.*, Case No. 08cv232, filed February 5, 2008 in the  
21 United States District Court for the District of Southern California. Plaintiff alleges  
22 infringement of the '184 patent by Defendants. Assignment to the same district  
23 judge as other '184 patent cases in the district has already occurred.

## 24 25 PENDING - STAYED

26 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
27 *Trust v. Metabo Corporation, et al.*, Case No. 08cv304, filed February 15, 2008 in  
28 the United States District Court for the District of Southern California. Plaintiff

1 alleges infringement of the '184 patent by Defendants. Assignment to the same  
2 district judge as other '184 patent cases in the district has already occurred.

3       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4       *Trust v. Star Asia, U.S.A., LLC, et al.*, Case No. 08cv307, filed February 15, 2008 in  
5       the United States District Court for the District of Southern California. Plaintiff  
6       alleges infringement of the '184 patent by Defendants. Assignment to the same  
7       district judge as other '184 patent cases in the district has already occurred.

8       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
9       *Trust v. Kyocera International, Inc., et al.*, Case No. 08cv411, filed March 4, 2008 in  
10      the United States District Court for the District of Southern California. Plaintiff  
11      alleges infringement of the '184 patent by Defendants. Assignment to the same  
12      district judge as other '184 patent cases in the district has already occurred.

13       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
14       *Trust v. Central Purchasing, LLC, et al.*, Case No. 08cv309, filed February 15, 2008  
15      in the United States District Court for the District of Southern California. Plaintiff  
16      alleges infringement of the '184 patent by Defendants. Assignment to the same  
17      district judge as other '184 patent cases in the district has already occurred.

18       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
19       *Trust v. Logitech, Inc., et al.*, Case No. 08cv308, filed February 15, 2008 in the  
20      United States District Court for the District of Southern California. Plaintiff alleges  
21      infringement of the '184 patent by Defendants. Assignment to the same district  
22      judge as other '184 patent cases in the district has already occurred.

23       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
24       *Trust v. Rally Manufacturing, Inc., et al.*, Case No. 08cv302, filed February 15, 2008  
25      in the United States District Court for the District of Southern California. Plaintiff  
26      alleges infringement of the '184 patent by Defendants. Assignment to the same  
27      district judge as other '184 patent cases in the district has already occurred.

28       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1       *Trust v. Sunbeam Products, Inc., et al.*, Case No. 08cv306, filed February 15, 2008 in  
2       the United States District Court for the District of Southern California. Plaintiff  
3       alleges infringement of the ‘184 patent by Defendants. Assignment to the same  
4       district judge as other ‘184 patent cases in the district has already occurred.

5       *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
6       *Trust v. CTT Tools, Inc., et al.*, Case No. 08cv231, filed February 5, 2008 in the  
7       United States District Court for the District of Southern California. Plaintiff alleges  
8       infringement of the ‘184 patent by Defendants. Assignment to the same district  
9       judge as other ‘184 patent cases in the district has already occurred.

10      *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
11     *Trust v. Global Machinery Company, et al.*, Case No. 08cv233, filed February 5,  
12     2008 in the United States District Court for the District of Southern California.  
13     Plaintiff alleges infringement of the ‘184 patent by Defendants. Assignment to the  
14     same district judge as other ‘184 patent cases in the district has already occurred.

15      *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
16     *Trust v. Emissive Energy Corp., et al.*, Case No. 08cv234, filed February 5, 2008 in  
17     the United States District Court for the District of Southern California. Plaintiff  
18     alleges infringement of the ‘184 patent by Defendants. Assignment to the same  
19     district judge as other ‘184 patent cases in the district has already occurred.

20      *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
21     *Trust v. Motorola, Inc., et al.*, Case No. 3:08-cv-0136 LAB RBB, filed January 23,  
22     2008 in the United States District Court for the District of Southern California.  
23     Plaintiff alleges infringement of the ‘184 patent by Defendants. Assignment to the  
24     same district judge as other ‘184 patent cases in the district has already occurred.

25      *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26     *Trust v. Sanyo North America Corporation, et al.*, Case No. 308-cv-0135 DMS  
27     POR, filed January 23, 2008 in the United States District Court for the District of  
28     Southern California. Plaintiff alleges infringement of the ‘184 patent by Defendants.

1 Assignment to the same district judge as other '184 patent cases in the district has  
2 already occurred.

3 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4 *Trust v. Informatics, inc., et al.*, Case No. 3:08-cv-0134-L NLS, filed January 23,  
5 2008 in the United States District Court for the District of Southern California.  
6 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the  
7 same district judge as other '184 patent cases in the district has already occurred.

8 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
9 *Trust v. Ryobi Technologies, Inc., et al.*, Case No. 3:08-cv-0070-BTM-CAB, filed  
10 January 11, 2008 in the United States District Court for the District of Southern  
11 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
12 Assignment to the same district judge as other '184 patent cases in the district has  
13 already occurred.

14 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
15 *Trust v. Senco Products, Inc.*, Case No. 3:08-cv-0071-BTM-CAB, filed January 11,  
16 2008 in the United States District Court for the District of Southern California.  
17 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the  
18 same district judge as other '184 patent cases in the district has already occurred.

19 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
20 *Trust v. Emerson Electric Co., et al.*, Case No. 3:08-cv-0060-BTM-CAB, filed  
21 January 10, 2008 in the United States District Court for the District of Southern  
22 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
23 Assignment to the same district judge as other '184 patent cases in the district has  
24 already occurred.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26 *Trust v. Energizer Holdings, Inc., et al.*, Case No. 3:07-CV-2321-BTM-CAB, filed  
27 December 11, 2007 in the United States District Court for the Southern District of  
28 California. Plaintiff alleges infringement of the '184 patent by Defendants.

1 Assignment to the same district judge as other '184 patent cases in the district has  
2 already occurred.

3 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4 *Trust v. Giant International, Inc., et al*, Case No. 3:07-CV-2121-BTM-CAB, filed  
5 November 6, 2007 in the United States District Court for the Southern District of  
6 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
7 Assignment to the same district judge as other '184 patent cases in the district has  
8 already occurred.

9 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*  
10 *Esseplast (USA) NC, Inc., et al*, Case No. 3:07-cv-2277-BTM-CAB, filed December  
11 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent by  
12 Defendants. Assignment to the same district judge as other '184 patent cases in the  
13 district has already occurred.

14 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*  
15 *Helen of Troy Texas Corporation, et al*, Case No. 3:07-cv-2278-BTM-CAB, filed  
16 December 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent  
17 by Defendants. Assignment to the same district judge as other '184 patent cases in  
18 the district has already occurred.

19 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
20 *Trust v. Digital Networks North America, Inc., et al*, Case No. 3:07-5568-JSW, filed  
21 November 1, 2007 in the United States District Court for the Northern District of  
22 California. Plaintiff alleges infringement of the '184 patent by Defendants. The  
23 Northern District has already reviewed whether this case was related to other '184  
24 patent cases in the Northern District and found it was not.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26 *Trust v. The Black & Decker Corporation, et al*, Civil Case No.: 3:06-CV-1572-  
27 BTM-CAB, filed August 7, 2006, in the United States District Court for the Southern  
28 District of California. Plaintiff alleges infringement of the '184 patent by

1 Defendants. Assignment to the same district judge as other '184 patent cases in the  
2 district has already occurred.

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4 **SETTLED AND DISMISSED**

5 *Jens Erik Sorensen as Trustee of the Sorensen Research And Development*  
6 *Trust v. Tecnica USA, Inc and Nordica USA, Inc.*, Civil Case No. 06CV1941 B  
7 MLS, filed September 18, 2006 in the Southern District of California. The action  
8 was settled by the parties, and dismissed.

9 *Jens Erik Sorensen As Trustee of The Sorensen Research And Development*  
10 *Trust v. Head USA Inc.* Civil Case No.: 06CV1434BTN CAB, filed July 2006 in  
11 the Federal District for the Southern District of California. The action was settled by  
12 the parties, and dismissed.

13 *Head USA Inc. v. Jens Erik Sorensen (As Trustee of The Sorensen Research*  
14 *And Development Trust), and Sorensen Research And Development Trust.* Docket  
15 No.: 306CV00983, filed June 2006 in the Federal District of Connecticut. The matter  
16 was transferred and consolidated with the *Sorensen Research And Development*  
17 *Trust v. Head USA Inc.* action filed in the Southern District of California, Civil Case  
18 No.: 06CV1434BTM CAB. The action was later settled by the parties, and  
19 dismissed.

20 *Nordica USA Corp. v. Jens Ole Sorensen, Jens Erik Sorensen, and Sorensen*  
21 *Research and Development Trust.* Docket No. 1:06-cv-91-JM filed March 8, 2006 in  
22 the Federal District of New Hampshire. The matter was transferred and consolidated  
23 with *Jens Erik Sorensen As Trustee of The Sorensen Research And Development*  
24 *Trust v. Tecnica USA, Inc and Nordica USA, Inc.*, Civil Case No. 06CV1941 B  
25 MLS, filed in the Southern District of California. The action was later settled by the  
26 parties.

27 *Jens Ole Sorensen, and Jens E. Sorensen, as Trustee Of The Sorensen*  
28 *Research and Development Trust v. DaimlerChrysler AG, and Mercedes-Benz USA,*

*LLC.* Civil No. 03-1763 (HAA) filed in the United States District Court for Northern California and transferred to the United States District Court for New Jersey. This matter has been settled and dismissed.

*In the Matter of Certain Automobile Tail Light Lenses And Products Incorporating Same.* Investigation No. 337-TA-502 filed in the United States International Trade Commission. The matter was remanded after appeal to the Federal Circuit Court of Appeals, then settled and dismissed.

*Jens E. Sorensen, as Trustee Of The Sorensen Research and Development Trust v. Premier Automotive Group, Ford Motor Company, and Jaguar, Ltd.* Case No. 03-cv-01107, filed March 14, 2003 in the Federal Court for the Northern District of California. The matter was settled and dismissed.

*Sorensen et al v. International Trade Commission et al.*, 427 F.3d 1375 (Fed. Cir. 2005). After the Federal Circuit ruled in patentee's favor, the parties settled and dismissed.

## DISMISSED

*DMS Holdings, Inc. v. Sorensen Research & Development Trust.* Civil Case No.: 07-CV-02690, filed May 11, 2007, in the United States District Court for the Northern District of Illinois. This case has been dismissed. Sorensen filed against DMS Holdings in the United States District Court for Southern California (see above).

*Lowe's Companies, Inc., et al v. Sorensen Research and Development Trust.*  
Case No. 05-cv-00234 filed July 29, 2005 in the Federal Court for the Western  
District of North Carolina. The matter was never served and was dismissed.

*Digital Innovations LLC v. Sorensen Research and Development Trust.* Case No. 05-cv-06428, filed November 9, 2005 in the Federal Court for the Northern District of Illinois. The matter was never served and was dismissed.

*Big Lots v. Sorensen Research and Development Trust.* Case No. 2:06-cv-

1089, filed December 29, 2006 in the Federal Court for the Southern District of Ohio. The matter was never served and was dismissed.

*Bon-Aire v. Sorensen Research and Development Trust.* Case No. 07-cv-054-S, filed January 2007 in the Federal Court for the District of Idaho. The matter was never served and was dismissed.

*Husqvarna Outdoor Products, Inc. v. Sorensen Research and Development Trust.* CIV. NO. CV106-160 in the Federal Court for the Southern District of Georgia on October 30, 2006. The matter was never served and was dismissed.

DATED this Tuesday, September 16, 2008.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND DEVELOPMENT  
TRUST, Plaintiff

/s/ Melody A. Kramer

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Melody A. Kramer, Esq.  
J. Michael Kaler, Esq.  
Attorneys for Plaintiff

## PROOF OF SERVICE

I, Melody A. Kramer, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121.

On Tuesday, September 16, 2008, I served the following documents:

## **FOURTH AMENDED NOTICE OF RELATED CASES**

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 3300 Los Angeles, CA 90067 evonzeipel@seyfarth.com	Helen of Troy Texas Corporation; Oxo International Ltd.	Email--Pleadings Filed with the Court via CM/ECF

- (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.
- (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.
- (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.
- (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address represented to be the correct mail address for the above noted addressee.

I declare that the foregoing is true and correct, and that this declaration was executed on Tuesday, September 16, 2008, in San Diego, California.

/s/ Melody A. Kramer